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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,155	12/18/2001	William Emil Heinz	85085	8465

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EXAMINER

PHAN, DAO LINDA

ART UNIT PAPER NUMBER

3662

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/025,155		HEINZ ET AL.	
	Examiner		Art Unit	
	Dao L. Phan		3662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43,44,54 and 55 is/are allowed.
- 6) ☒ Claim(s) 22-42,45-53, 56-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3662

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 22-42, 45-53, 56-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Bartholonew (Pat. No. 5,818,385).

Bartholonew teaches an antenna control system for a land-based mobile radio system including a sensor (22, 28; fig. 5, 1530; col 21, line 52-col 22, line 26) for detecting a position of a down-tilt antenna with respect to cell coverage and without respect to a satellite position, an antenna controller 1204 communicating with the sensor for controlling the antenna position, and a main controller 1508 communicating with the antenna controller in order to control the antenna controller.

With regard to claim 31, Bartholonew teaches an antenna control system for controlling a plurality of antennas including a plurality of sensors (22, 28; fig. 5, 1530; col 21, line 52-col 22, line 26) each for detecting positions of a respective one of the antennas, a plurality of antenna controllers 1204 each communicating with corresponding sensors of the plurality of sensors for controlling a position of the associated antenna, and a main controller 1508 communicating with the antenna controllers in order to control the antenna controllers.

With regard to claim 38, Bartholonew teaches an antenna control system for controlling a plurality of antennas including a plurality of sensors (22, 28; fig. 5, 1530; col 21, line 52-col 22, line 26), each sensor associated with one of the plurality of antennas for detecting the antenna positions, a plurality of antenna controllers 1204 each connected to a respective one of the plurality of sensors for reading the detected antenna positions and for adjusting the antenna positions based on the detected antenna positions, and a main controller 1508 communicating with the plurality of antenna controllers for controlling the plurality of antenna controllers to adjust the antenna positions.

With regard to claims 46 and 57, Bartholonew teaches a method of performing a tilt setting change on an antenna system, the method comprising the steps of transmitting a tilt setting change command, selected by a user, from a user interface to a main controller, and transmitting a change tilt command combined with an antenna controller address from the main controller to an addressed antenna controller of a plurality of antenna controllers. See col 39, lines 4-62.

With regard to claim 47, Bartholonew teaches an antenna control system including a sensor (22, 28; fig. 5, 1530; col 21, line 52-col 22, line 26) for detecting a position of a down-tilt antenna without respect to a satellite position, an antenna controller 1204 communicating with the sensor for controlling the antenna position, a main controller 1508 communicating with the antenna controller in order to control the antenna controller, and a user interface 1106, 1214 communicating with the main controller to operate the main controller.

With regard to claim 51, Bartholone teaches an antenna control system including a sensor (22, 28; fig. 5, 1530; col 21, line 52-col 22, line 26) for detecting a position of a down-tilt antenna without respect to a satellite position, an antenna controller 1204 communicating with the sensor for controlling the antenna position, a main controller 1508 communicating with the antenna controller in order to control the antenna controller, wherein the main controller is remotely located from the down-tilt antenna, and an antenna controller memory 1212 connected to the antenna controller for storing at least one of an antenna address and the antenna position.

With regard to claim 62, Bartholone teaches an antenna control system including a sensor (22, 28; fig. 5, 1530; col 21, line 52-col 22, line 26) for detecting a position of components used to down tilt an antenna and by this action determine the down tilt of the antenna, an antenna controller 1204 communicating with the sensor for controlling the antenna position, a main controller 1508 communicating with the antenna controller in order to control the antenna controller, wherein the main controller is remotely located from the antenna, a user interface 1106, 1214 communicating with the main controller to operate the main controller, and an antenna controller memory 1212 connected to the antenna controller for storing at least one of an antenna address and the antenna position.


3. Claims 43-44, 54-55 are allowed.
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3662

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (571)272-6976. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571)272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DAO PHAN
PATENT EXAMINER